

OGC Has Reviewed

25X1A

5 February 1952

Office of General Counsel

Time and Attendance Certification by Fee Basis Consultants

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1. Regulation [] requires consultants employed by this Agency to sign the following statement on the reverse of the time and attendance report:

"I certify that for the days covered by this report, during which I was employed, I have not received nor will I claim compensation from any other Government agency, unless otherwise noted."

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2. As you know, this certification is directed at avoiding conflict with the dual compensation statutes but is not particularly applicable when the consultant is paid on a fee, as distinguished from a time basis. In a decision dated October 19, 1951, (B-105707), the Comptroller held that this Agency might employ [] as a consultant on a fee basis to the National Estimates Board without requiring the [] to waive his retired pay for those days.

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3. At the present time, [] are serving on the National Estimates Board as consultants on a fee basis. The following statement, which would follow the certification, is suggested:

"For the above days on which I performed services as an intermittent consultant on a fee basis with the Central Intelligence Agency, I received retirement pay from the United States Navy."

Would you please discuss this with the GAO auditor and make any amendments that either of you may see fit.

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